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14 ROWLAND MARCUS ANDRADE

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16 **UNITED STATES DISTRICT COURT**
17 **NORTHERN DISTRICT OF CALIFORNIA**
18 **SAN FRANCISCO DIVISION**

19 UNITED STATES OF AMERICA,

20 Plaintiff,

21 v.

22 ROWLAND MARCUS ANDRADE,

23 Defendant.
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Case No. 3:20-cr-00249-RS-LBx

**DECLARATION OF KERRIE C. DENT
IN SUPPORT OF DEFENDANT
ANDRADE'S REPLY BRIEF IN SUPPORT
OF MOTION TO COMPEL COMPLIANCE
WITH AUGUST 1, 2024 ORDER**

Judge: Hon. Laurel Beeler

1 Kerrie C. Dent, counsel for Defendant Marcus Andrade, states as follows:

2 1. I am one of the lawyers representing Defendant Marcus Andrade in the above-
3 captioned matter. I have personal knowledge of the discovery disputes and related
4 correspondence between the government and defense counsel and, if called as a witness in this
5 matter, could competently testify to the matters stated in this Declaration.

6 2. According to the government, at some point in 2022, “prosecutors in the Southern
7 District of New York asked Mr. Levin’s counsel where counsel wanted Mr. Levin’s physical
8 property to be sent, or whether defense counsel wanted to pick up Mr. Levin’s devices from the
9 FBI. Mr. Levin’s counsel never responded to the Government.” USA’s Response to Court
10 Order, Dkt. #237 at 1:27-28 and 2:1-2 (Nov. 9, 2023).

11 3. On November 22, 2023, when defense counsel reached out to Mr. Buckley to ask
12 if he would accept service of a subpoena for Levin’s devices, Mr. Buckley responded: “We do
13 not currently represent Mr. Levin nor do we have possession of the devices referenced in your
14 email. We have reached out to Mr. Levin in order to see what his instructions are with respect to
15 your request to discuss and/or to identify who his current counsel may be.” Defense counsel
16 never heard from him again.

17 4. On August 5, 2024, defense counsel emailed the government to ensure that it had
18 followed the Court’s instructions to serve a copy of the August 1, 2024, Order by email on Mr.
19 Levin’s former attorney so that the lawyer could email Mr. Levin the order, the government
20 responded that it had “emailed Levin’s former counsel (Sean Buckley at Kobre & Kim) a copy of
21 Judge Beeler’s order on Friday. ***He said he no longer represented Mr. Levin and was not***
22 ***authorized to receive or do anything on behalf of Mr. Levin***, but he would attempt to discuss it
23 with him. ***I’ll let you know when/if I hear back.***” See Exhibit A (emphasis added). Defense
24 counsel never heard anything more from the government on the issue until August 23, when the
25 government forwarded defense counsel Mr. Buckley’s email that is the center of the
26 government’s opposition to Mr. Andrade’s motion to compel the government’s compliance with
27 the Court’s August 1 Order.

1 I declare under penalty of perjury that the foregoing is true and correct, and that this
2 declaration was executed on August 30, 2024 in McLean, Virginia.

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4 /s/ Kerrie C. Dent
5 KERRIE C. DENT
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